

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA**

ELI LILLY AND COMPANY,

Plaintiff,

v.

ACCORD HEALTHCARE, INC., APOTEX
INC., and APOTEX CORP.,

Defendants.

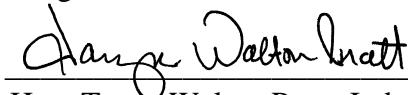
C.A. No. 1:12-cv-00086-TWP-DKL
CONSOLIDATED

PROPOSED ORDER AND FINAL JUDGMENT

Upon the Joint Motion (“Joint Motion”) of Plaintiff Eli Lilly and Company (“Lilly”) and Defendant Accord Healthcare Inc. (“Accord”) for Entry of Judgment, IT IS HEREBY ORDERED that:

1. This stay of this action is LIFTED.
2. The filing of ANDA No. 203485 infringed at least claims 9, 10, 12, 14, 15, 18, 19, and 21 of Lilly’s U.S. Patent No. 7,772,209 (“the ’209 patent”), and those claims have not been proved invalid.
3. Pursuant to 35 U.S.C. § 271(e)(4)(A), the effective approval date of any product that is the subject of ANDA No. 203485 shall be not earlier than the latest date of expiration of the ’209 patent, including any period of pediatric exclusivity.
4. JUDGMENT IS ENTERED in favor of Lilly and against Accord.

Date: 4/21/2017



Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana

Distribution: All counsel of record (via ECF)